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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

COHO LICENSING LLC, a Delaware
company,

Plaintiff,

v.

AOL, INC., a Delaware corporation,

Defendant.

Case No. C 14-02127-JSW

**STIPULATION AND ~~PROPOSED~~
ORDER TO SET AN EARLIER HEARING
DATE OF SEPTEMBER 26, 2014 ON
DEFENDANT'S MOTION TO STAY
PENDING *INTER PARTES* REVIEW**

Date: October 10, 2014
Time: 9:00 A.M.
Place: Courtroom 5, 2nd Floor
Judge: Jeffrey S. White

1 Plaintiff Coho Licensing LLC (“Coho Licensing”) and Defendant AOL, Inc. (“AOL”)
 2 hereby stipulate and agree through their respective counsel of record, pursuant to Civil Local
 3 Rules 7-11 and 7-12, and this Court’s Standing Order No. 4, as follows:

4 WHEREAS, AOL filed a Motion to Stay Pending *Inter Partes* Review in a related case
 5 between the parties on August 15, 2014 (Case No. 14-1578-JSW, Dkt. No. 36; hereinafter, the
 6 “First Motion to Stay”);

7 WHEREAS, AOL also sought to stay the above-captioned action in that First Motion to
 8 Stay (*see, e.g.*, First Motion to Stay at 1, Notice of Motion);

9 WHEREAS, the Court set a hearing date of September 26, 2014 on AOL’s First Motion to
 10 Stay (Case No. 14-1578-JSW, Dkt. No. 37 at 1);

11 WHEREAS, all other Defendants in the related *Coho Licensing* cases have also noticed
 12 similar motions to stay for September 26, 2014 (*Coho Licensing LLC v. Glam Media Inc. and*
 13 *Ning Inc.*, 14-cv-1576, Dkt. No. 60; *Coho Licensing LLC v. LinkedIn Corp.*, 14-cv-1577, Dkt.
 14 No. 57; *Coho Licensing LLC v. Rovi Corporation*, 14-cv-1579, Dkt. No. 55; *Coho Licensing LLC*
 15 *v. Twitter Inc.*, 14-cv-2718, Dkt. No. 45; *Coho Licensing LLC v. Glam Media Inc. and Ning Inc.*,
 16 14-cv-2128, Dkt. No. 35; *Coho Licensing LLC v. LinkedIn Corp.*, 14-cv-2131, Dkt. No. 33; *Coho*
 17 *Licensing LLC v. Rovi Corporation*, 14-cv-2130, Dkt. No. 34; and *Coho Licensing LLC v.*
 18 *Twitter, Inc.*, 14-cv-2132, Dkt. No. 30);

19 WHEREAS, all motions to stay pending before this Court in the related cases are based on
 20 the petitions for *inter partes* review that AOL recently filed against all claims of all patents-in-
 21 suit;

22 WHEREAS, pursuant to the Court’s August 26, 2014 Order (Case No. 14-1578-JSW,
 23 Dkt. No. 37 at 1), AOL filed a Motion to Stay Pending *Inter Partes* Review in the above-
 24 captioned case on August 27, 2014 (Dkt. No. 34; hereinafter, “Second Motion to Stay”);

25 WHEREAS, AOL’s Second Motion to Stay is currently noticed for hearing on October
 26 10, 2014, which was the Court’s first available date for a noticed motion in this case;
 27
 28

WHEREAS, AOL's Second Motion to Stay is substantively identical to AOL's First Motion to Stay, and the motions seek to stay both related cases against AOL (Case Nos. 14-1578-JSW and 14-2127-JSW) pending *inter partes* review of the patents-in-suit;

WHEREAS, Coho Licensing's response to the Second Motion to Stay is due by September 10, 2014, and AOL's reply is due by September 17, 2014;

IT IS HEREBY STIPULATED AND REQUESTED that the Court reset the hearing date for AOL's Second Motion to Stay, filed in above-captioned case (Dkt. No. 34), to coincide with the September 26, 2014 hearing date for all the other pending motions to stay, including AOL's First Motion to Stay. Good cause supports this stipulation and request because (1) the motions to stay pending in the related cases all concern the same issue, (2) the briefing on AOL's First Motion to Stay will be virtually identical to the briefing on AOL's Second Motion to Stay, and (3) it would conserve the resources of the Court and the parties to hear all of these related motions to stay on September 26, 2014.

DATED: August 28, 2014

PERKINS COIE LLP

By: /s/ Christopher Kao
Christopher Kao

Attorneys for Defendant
AOL, Inc.

DATED: August 28, 2014

FERRAIUOLI LLC

By: /s/ Jean G. Vidal-Font
Jean G. Vidal-Font

Attorneys for Plaintiff
Coho Licensing LLC

1 I, Christopher Kao, hereby attest, pursuant to Civil L.R. 5-1(i)(3), that the concurrence to
2 the filing of this document has been obtained from each signatory hereto.

3 DATED: August 28, 2014

PERKINS COIE LLP

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5 By: /s/ Christopher Kao
Christopher Kao

6 Attorneys for Defendant
7 AOL, Inc.

~~PROPOSED~~ ORDER

PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, AND WITH
GOOD CAUSE APPEARING, IT IS ORDERED THAT:

The hearing date for Defendant AOL, Inc.'s Motion to Stay in this case is set for
September 26, 2014. The opposition or statement of non-opposition shall be filed by no later than
September 8, 2014. The reply, if any, shall be filed by no later than September 12, 2014.

DATED: September 2, 2014


Hon. Jeffrey S. White
United States District Judge